



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2014 REGULAR SESSION

HOUSE BILL NO. 99

FRIDAY, MARCH 21, 2014

The following bill was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED
DATE April 11, 2014
4:26pm
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Allen

1 AN ACT relating to the carrying of concealed deadly weapons by retired peace
2 officers.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔Section 1. KRS 237.140 is amended to read as follows:

5 (1) (a) Certification for a retired peace officer to carry a concealed deadly weapon
6 pursuant to KRS 237.138 to 237.142 shall be administered by the Department
7 of Kentucky State Police.

8 (b) Costs of certification shall be paid for by moneys generated by the concealed
9 deadly weapon license program under KRS 15.383 and collected by the
10 Department of Kentucky State Police pursuant to that section.

11 (c) The Department of Kentucky State Police shall promulgate administrative
12 regulations in accordance with KRS Chapter 13A necessary to implement the
13 provisions of KRS 237.138 to 237.142. The regulations shall allow the
14 validity of any license or certifying documentation issued to the retired
15 peace officer under this section to be extended in yearly increments not
16 more than four (4) times. To facilitate this objective, the regulations may
17 authorize the material required by subsection (2) of this section to be
18 submitted to the person supervising the firearms qualifications under
19 subsection (4)(b) of this section, with that person then submitting the
20 material to the Department of Kentucky State Police and signing the license
21 or certification in a manner that satisfies the requirements of federal law as
22 to the retiree's passage of the required yearly firearms testing.

23 (2) Each retired peace officer who desires certification to carry a concealed deadly
24 weapon shall annually submit:

25 (a) Evidence of retired status to the commissioner of the Department of Kentucky
26 State Police together with all information required by federal law, this section,
27 and administrative regulations promulgated pursuant to this section;

- 1 (b) Evidence of successful completion of firearms qualification required under
2 this section; and
- 3 (c) A notarized statement that he or she is not prohibited by state or federal law
4 from possessing a firearm.
- 5 (3) Each law enforcement agency that employed the retired peace officer, or at which
6 the retired peace officer served in an elected capacity, shall provide to the retired
7 officer and the Department of Kentucky State Police the information required by
8 federal law, this section, and the administrative regulations promulgated pursuant to
9 this section in a prompt and efficient manner, without charge either to the
10 Department of Kentucky State Police or the retiree.
- 11 (4) (a) Each retired peace officer shall annually fire twenty (20) rounds at an adult
12 size silhouette target at a range of twenty-one (21) feet, with a handgun, and
13 shall hit the target not less than eleven (11) times to obtain or maintain
14 certification under KRS 237.138 to 237.142.
- 15 (b) The rounds fired pursuant to paragraph (a) of this subsection shall be done
16 under the supervision of:
- 17 1. A firearms instructor of the retiree's former employing agency;
18 2. A currently certified peace officer who has successfully completed a
19 Kentucky Law Enforcement Council approved firearms instructor
20 course;
21 3. A Department of Criminal Justice Training certified police firearms
22 instructor or instructor trainer; or
23 4. A Department of Criminal Justice Training certified concealed carry
24 instructor or instructor trainer.
- 25 (c) A firearms instructor may, if not compensated pursuant to paragraph (d) of
26 this subsection, charge each participant a fee of not more than twenty dollars
27 (\$20), which shall include the cost of the range, firearms instructor, range

1 personnel, targets, and all other costs associated therewith, but not the cost of
2 ammunition. Ammunition, or the cost of ammunition, shall be provided by the
3 retiree.

4 (d) A local or state law enforcement agency that desires to conduct firearms
5 qualification for its retirees shall schedule not less than two (2) dates for
6 firearms qualification per year, and those dates shall be approximately six (6)
7 months apart. The local or state law enforcement agency may charge each
8 participant a fee of not more than twenty dollars (\$20), which shall include the
9 cost of use of the range, firearms instructor, range personnel, targets, and all
10 other costs associated therewith, but not the cost of ammunition. Ammunition,
11 or the cost of ammunition, shall be provided by the retiree.

12 (e) No employer or appointing authority of a firearms instructor who has
13 successfully completed a Kentucky Law Enforcement Council approved
14 firearms instructor course, Department of Criminal Justice Training certified
15 police firearms instructor or instructor trainer, or Department of Criminal
16 Justice Training certified concealed carry instructor or instructor trainer shall
17 prohibit or in any way limit the instructor from qualifying active or retired
18 peace officers in conformity with KRS 237.138 or 237.142 while that
19 instructor is off duty. No employer or appointing authority of an instructor
20 specified in this paragraph shall be liable in civil damages for the actions or
21 omissions of the instructor during qualification of active or retired peace
22 officers when that instructor is off duty.



Speaker-House of Representatives



President of Senate

Attest:



Chief Clerk of House of Representatives

Approved



Governor

Date

